

ADAMS, J.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

KASSANDRA ROBINSON,	)	CASE NO. 5:06CV1792
	)	
Plaintiff,	)	
	)	JUDGE JOHN R. ADAMS
v.	)	
	)	<u>MEMORANDUM OF OPINION</u>
MARC GLASSMAN, INC., etc., et al.,	)	<u>AND ORDER</u>
	)	[RESOLVING DOC. 103]
Defendants.	)	

This action asserting violations of 42 U.S.C. § 2000a, *et seq.* (Title II of the Civil Rights Act of 1964), 42 U.S.C. § 1981, Ohio Rev. Code § 4112.02(G), intentional and negligent infliction of emotional distress, and breach of the duty to warn a business invitee of dangerous conditions and make the premises safe is before the Court upon the Report and Recommendation (Doc. 98) of a magistrate judge of this Court.

On September 11, 2007, the above-entitled action was referred to Magistrate Judge Patricia A. Hemann pursuant to 28 U.S.C. § 636 and Local Rules 72.1 and 72.2(a) for a report containing proposed findings and a recommendation for disposition of the following motions:

Defendants' Motion to Dismiss Plaintiff's First, Fifth, and Seventh Causes of Action in Plaintiff's First Amended Complaint (Doc. 41); and

Defendants' Motion for Summary Judgment (Doc. 66).

The Court has reviewed *de novo* the Report and Recommendation, filed on September 18, 2007. The Court has considered plaintiff's Objection (Doc. 103) and defendants' Response (Doc. 105). The Court finds that the report and recommendation is well-supported and that the plaintiff's objection is without merit. The Court agrees with the conclusion of the

magistrate judge that defendants' Motion for Summary Judgment should be granted. The Court adopts the findings of fact and conclusions of law of the magistrate judge as its own. Therefore, the Report and Recommendation is hereby ADOPTED and the plaintiff's objection is OVERRULED. Accordingly,

Defendants' Motion for Summary Judgment (Doc. 66) is GRANTED upon the grounds that there is no genuine issue as to any material fact and the movants are entitled to a judgment as a matter of law.

Defendants' Motion to Dismiss Plaintiff's First, Fifth, and Seventh Causes of Action in Plaintiff's First Amended Complaint (Doc. 41) is DENIED AS MOOT.

IT IS SO ORDERED.

October 31, 2007  
Date

/s/ John R. Adams  
John R. Adams  
U.S. District Judge